

U.S. Environmental Protection Agency Region 4
61 Forsyth Street Atlanta, GA 30303
Emergency Planning and Community Right-to-Know Act (EPCRA) Inspection Report

Company Name Ben E. Keith Foods Southeast Division SIC/NAICS 49312

Inspection Date 5/2/2024

Lead Inspector Name Mark Briggs, Eastern Research Group (ERG)

Inspection Team Members Brendan Scher, ERG

1. Record names and titles of the facility representatives participating in the inspection.

Name/Title Mike Herzog / Facility Manager Phone: (713) 705-6037

2. Obtain exact name and address of the facility being inspected, as well as any Parent Company information.

Facility Name: Ben E. Keith Foods Southeast Division

Address: 1 Ben E. Keith Way, New Brockton, AL 36351

County: Coffee

Owner/Operator/Parent Company (Name, Address, Phone): Ben E. Keith Co.

How long owned/operated, recent sale of facility (date)? ~2021

3. Obtain/review facility description.

- a. Officers' names and titles: Rebecca Lattis / Owner / Operator
- b. Incorporation date and location: ~2021
- c. Other facilities owned by the company: yes
- d. Number of employees: 108
- e. Annual Corporate Sales: N/A
- f. Process Description and Process Diagrams: The Ben E. Keith Foods Southeast Division facility uses anhydrous ammonia for cold food storage.
- g. Jurisdictional Fire Department: New Brockton Fire Department

4. Compliance Review by Statute:

Section 312

a. Obtained chemical inventory list	Y	<u>N</u>	N/A
b. View purchase records (where applicable)	Y	<u>N</u>	N/A
c. Tier II reports to SERC, LEPC, fire dept (Haz. Chem $\geq$ 10,000 lbs)?	Y	<u>N</u>	N/A
d. Tier II reports to SERC, LEPC, fire dept (EHSs $\geq$ 500 lbs or TPQ)?	Y	<u>N</u>	N/A
e. Reviewed documentation of maximum daily amounts stored?	<u>Y</u>	N	N/A
f. Reviewed MSDSs?	Y	<u>N</u>	N/A
g. Reviewed documentation of submissions?	Y	<u>N</u>	N/A
h. Has each report from the past 3 years been submitted by March 1?	Y	<u>N</u>	N/A

Section 313

i. Form R/A to State and EPA for Toxic Chemicals: Manufactured, Processed $\geq$ 25,000lbs, Otherwise Used $\geq$ 10,000 lbs	Y	N	N/A
j. Obtained list of 313 chemicals MPOU at the facility	Y	N	N/A
k. Obtained documentation of submissions?	Y	N	N/A
l. Has each report from the past 3 years been submitted by July 1?	Y	N	N/A

Additional Observations/Comments: The inspection team requested the last three years of Tier II reports but did not receive the documents. The Tier II reports for the reporting years 2023 and 2024 were found on E-Plan. The 2023 submission listed ammonia, solution with more than 10% but not more than 35% ammonia as being on-site. This should be anhydrous ammonia. Furthermore, the 2024 submission was not submitted until 3/30/24. The submission for the reporting year 2022 was not found.

Report Prepared By:

Name (Printed): Jordan Noles

Title: Inspector

Signature: JORDAN NOLES Digitally signed by JORDAN NOLES
Date: 2024.09.19
11:36:06 -04'00'

Report Authorized By:

Name (Printed): Jason Dressler

Title: Chief, North Air Enforcement Section

Signature: JASON DRESSLER Digitally signed by JASON DRESSLER
Date: 2024.09.19
09:02:11 -04'00'